



Docket No.: 1572.1108

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kyung-kyun LEE et al.

Serial No. 10/618,613

Group Art Unit: 3632

Confirmation No. 5362

Filed: July 15, 2003

Examiner: Alfred J. Wujciak

For: DISPLAY APPARATUS

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner provided a Statement of Reasons for Allowance in which the Examiner indicated that some of the claims were allowed based on certain features.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

In the "Reasons for Allowance", the Examiner states, "The prior art fails to teach a controller disposed in the display body to control the OSD generating part so that a tilting angle adjusting menu is displayed according to the input part, to control the driving part so that the tilting angle of the display body is adjusted according to a selection based on the tilting angle adjusting menu."

It is submitted that the Examiner's statement is not a quotation of allowed claim 10. It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STAAS & HALSEY LLP

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